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APR 22 2002

TECH CENTER 1600/2900

Raw Sequence Listing Error Summary

ERROR DETECTED

SUGGESTED CORRECTION

SERIAL NUMBER: 09/522, 278A

ATTN: NEW RULES CASES: PLEASE DISREGARD ENGLISH "ALPHA" HEADERS, WHICH WERE INSERTED BY PTO SOFTWARE

- 1 Wrapped Nucleics
 Wrapped Aminos The number/text at the end of each line "wrapped" down to the next line. This may occur if your file was retrieved in a word processor after creating it. Please adjust your right margin to .3; this will prevent "wrapping."
- 2 Invalid Line Length The rules require that a line not exceed 72 characters in length. This includes white spaces.
- 3 Misaligned Amino
 Numbering The numbering under each 5th amino acid is misaligned. Do not use tab codes between numbers; use space characters, instead.
- 4 Non-ASCII The submitted file was not saved in ASCII(DOS) text, as required by the Sequence Rules. Please ensure your subsequent submission is saved in ASCII text.
- 5 Variable Length Sequence(s) contain n's or Xaa's representing more than one residue. Per Sequence Rules, each n or Xaa can only represent a single residue. Please present the maximum number of each residue having variable length and indicate in the <220>-<223> section that some may be missing.
- 6 PatentIn 2.0
 "bug" A "bug" in PatentIn version 2.0 has caused the <220>-<223> section to be missing from amino acid sequences(s) . Normally, PatentIn would automatically generate this section from the previously coded nucleic acid sequence. Please manually copy the relevant <220>-<223> section to the subsequent amino acid sequence. This applies to the mandatory <220>-<223> sections for Artificial or Unknown sequences.
- 7 Skipped Sequences
 (OLD RULES) Sequence(s) missing. If intentional, please insert the following lines for each skipped sequence:
 (2) INFORMATION FOR SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)
 (i) SEQUENCE CHARACTERISTICS: (Do not insert any subheadings under this heading)
 (xi) SEQUENCE DESCRIPTION:SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)
 This sequence is intentionally skipped

 Please also adjust the "(ii) NUMBER OF SEQUENCES:" response to include the skipped sequences.
- 8 Skipped Sequences
 (NEW RULES) Sequence(s) missing. If intentional, please insert the following lines for each skipped sequence.
 <210> sequence id number
 <400> sequence id number
 000
- 9 Use of n's or Xaa's
 (NEW RULES) Use of n's and/or Xaa's have been detected in the Sequence Listing.
 Per 1.823 of Sequence Rules, use of <220>-<223> is MANDATORY if n's or Xaa's are present.
 In <220> to <223> section, please explain location of n or Xaa; and which residue n or Xaa represents.
- 10 ☒ Invalid <213>
 Response Per 1.823 of Sequence Rules, the only valid <213> responses are: Unknown, Artificial Sequence, or scientific name (Genus/species). <220>-<223> section is required when <213> response is Unknown or is Artificial Sequence
- 11 Use of <220> Sequence(s) missing the <220> "Feature" and associated numeric identifiers and responses.
 Use of <220> to <223> is MANDATORY if <213> "Organism" response is "Artificial Sequence" or "Unknown." Please explain source of genetic material in <220> to <223> section.
 (See "Federal Register," 06/01/1998, Vol. 63, No. 104, pp. 29631-32) (Sec. 1.823 of Sequence Rules)
- 12 PatentIn 2.0
 "bug" Please do not use "Copy to Disk" function of PatentIn version 2.0. This causes a corrupted file, resulting in missing mandatory numeric identifiers and responses (as indicated on raw sequence listing). Instead, please use "File Manager" or any other manual means to copy file to floppy disk.
- 13 Misuse of n n can only be used to represent a single nucleotide in a nucleic acid sequence. N is not used to represent any value not specifically a nucleotide.

AMC/MH - Biotechnology Systems Branch - 08/21/2001

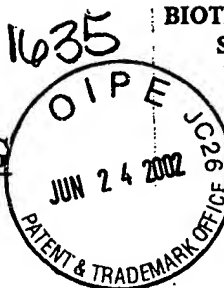
COPY

TECH CENTER 1600/2900

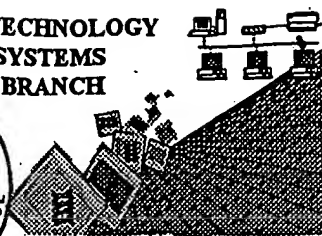
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**RAW SEQUENCE LISTING
ERROR REPORT**



BIOTECHNOLOGY
SYSTEMS
BRANCH



App
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APR 22 2002

TECH CENTER 1600/2900

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 09/522,278A
Source: 1600
Date Processed by STIC: 4/15/02

#16/ Raw
Seq.
Error
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JUN 28 2002

TECH CENTER 1600/2900

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION QUESTIONS, PLEASE CONTACT MARK SPENCER, 703-308-4212.

FOR SEQUENCE RULES INTERPRETATION, PLEASE CONTACT ROBERT WAX, 703-308-4216.

PATENTIN 2.1 e-mail help: patin21help@uspto.gov or phone 703-306-4119 (R. Wax)

PATENTIN 3.0 e-mail help: patin3help@uspto.gov or phone 703-306-4119 (R. Wax)

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE **CHECKER
VERSION 3.1 PROGRAM**, ACCESSIBLE THROUGH THE U.S. PATENT AND
TRADEMARK OFFICE WEBSITE. SEE BELOW FOR ADDRESS:

<http://www.uspto.gov/web/offices/pac/checker>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

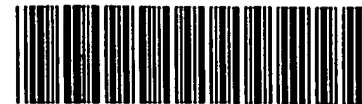
Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom.

Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<<http://www.uspto.gov/ebc/efs/downloads/documents.htm>> , EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202
3. Hand Carry directly to:
U.S. Patent and Trademark Office, Technology Center 1600, Reception Area, 7th Floor, Examiner Name, Sequence Information, Crystal Mall One, 1911 South Clark Street, Arlington, VA 22202
Or
U.S. Patent and Trademark Office, Box Sequence, Customer Window, Lobby, Room 1B03, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202
4. Federal Express, United Parcel Service, or other delivery service to: U.S. Patent and Trademark Office, Box Sequence, Room 1B03-Mailroom, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202

Revised 01/29/2002

COPY



**Does Not Comply
Corrected Diskette Needed**

1600

RAW SEQUENCE LISTING

PATENT APPLICATION: US/09/522,278A

DATE: 04/15/2002

TIME: 09:51:05

Input Set : A:\Sequence Listing.txt

Output Set: N:\CRF3\04152002\I522278A.raw

3 <110> APPLICANT: Phogen, Limited
 5 <120> TITLE OF INVENTION: Delivery of Substance to Cell
 7 <130> FILE REFERENCE: 5759-54451
 9 <140> CURRENT APPLICATION NUMBER: 09/522,278A
 C--> 10 <141> CURRENT FILING DATE: 2000-05-09

The type of errors shown exist throughout
 the Sequence Listing. Please check subsequent
 sequences for similar errors.

12 <160> NUMBER OF SEQ ID NOS: 12
 14 <170> SOFTWARE: PatentIn version 3.1

16 <210> SEQ ID NO: 1

17 <211> LENGTH: 20

18 <212> TYPE: DNA

19 <213> ORGANISM: synthetic construct

21 <400> SEQUENCE: 1

22 cccccaccac ttccctctc

25 <210> SEQ ID NO: 2

26 <211> LENGTH: 40

27 <212> TYPE: DNA

28 <213> ORGANISM: synthetic construct

30 <400> SEQUENCE: 2

31 tcctcgccct tgcacacat ggtggcgacc ggtggatccc

34 <210> SEQ ID NO: 3

35 <211> LENGTH: 20

36 <212> TYPE: DNA

37 <213> ORGANISM: synthetic construct

39 <400> SEQUENCE: 3

40 cccttgctca ccatggtggc

43 <210> SEQ ID NO: 4

44 <211> LENGTH: 25

45 <212> TYPE: DNA

46 <213> ORGANISM: synthetic construct

48 <400> SEQUENCE: 4

49 accatggtgg cgaccggtgg atccc

52 <210> SEQ ID NO: 5

53 <211> LENGTH: 20

54 <212> TYPE: DNA

55 <213> ORGANISM: synthetic construct

57 <400> SEQUENCE: 5

58 cccttgctca ccatggtggc

61 <210> SEQ ID NO: 6

62 <211> LENGTH: 20

63 <212> TYPE: DNA

64 <213> ORGANISM: synthetic construct

66 <400> SEQUENCE: 6

67 cccccaccac ttccctctc

- invalid response,
 see error summary sheet item 10

20

40

20

25

20

20

COPY

RAW SEQUENCE LISTING

DATE: 04/15/2002

PATENT APPLICATION: US/09/522,278A

TIME: 09:51:05

Input Set : A:\Sequence Listing.txt

Output Set: N:\CRF3\04152002\I522278A.raw

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70 <210> SEQ ID NO: 7
71 <211> LENGTH: 131
72 <212> TYPE: DNA
73 <213> ORGANISM: synthetic construct
75 <400> SEQUENCE: 7
76 gatcctatgg ggcagggtggg acggcagctc gccatcatcg gggacgacat caaccgacgc      60
78 tatcgggatc ccgatagcgt cggttgatgt cgccccgat gatggcgagc tgccgtccca      120
80 cctgccccat g      131
83 <210> SEQ ID NO: 8
84 <211> LENGTH: 36
85 <212> TYPE: RNA
86 <213> ORGANISM: synthetic construct
88 <400> SEQUENCE: 8
89 guuuucccug augaggccga aaggccgaaa uucucc      36
92 <210> SEQ ID NO: 9
93 <211> LENGTH: 20
94 <212> TYPE: DNA
95 <213> ORGANISM: synthetic construct
97 <400> SEQUENCE: 9
98 cccccaccac ttcccctctc      20
101 <210> SEQ ID NO: 10
102 <211> LENGTH: 17
103 <212> TYPE: DNA
104 <213> ORGANISM: synthetic construct
106 <400> SEQUENCE: 10
107 ccacaccgac ggcgccc      17
110 <210> SEQ ID NO: 11
111 <211> LENGTH: 20
112 <212> TYPE: DNA
113 <213> ORGANISM: synthetic construct
115 <400> SEQUENCE: 11
116 tcccgctgt gacatgcatt      20
119 <210> SEQ ID NO: 12
120 <211> LENGTH: 301
121 <212> TYPE: PRT
122 <213> ORGANISM: herpes simplex virus 1
124 <400> SEQUENCE: 12
126 Met Thr Ser Arg Arg Ser Val Lys Ser Gly Pro Arg Glu Val Pro Arg
127 1      5      10      15
130 Asp Glu Tyr Glu Asp Leu Tyr Tyr Thr Pro Ser Ser Gly Met Ala Ser
131      20      25      30
134 Pro Asp Ser Pro Pro Asp Thr Ser Arg Arg Gly Ala Leu Gln Thr Arg
135      35      40      45
138 Ser Arg Gln Arg Gly Glu Val Arg Phe Val Gln Tyr Asp Glu Ser Asp
139      50      55      60
142 Tyr Ala Leu Tyr Gly Gly Ser Ser Ser Glu Asp Asp Glu His Pro Glu
143 65      70      75      80
146 Val Pro Arg Thr Arg Arg Pro Val Ser Gly Ala Val Leu Ser Gly Pro
147      85      90      95

```

COPY

RAW SEQUENCE LISTING

DATE: 04/15/2002

PATENT APPLICATION: US/09/522,278A

TIME: 09:51:05

Input Set : A:\Sequence Listing.txt

Output Set: N:\CRF3\04152002\I522278A.raw

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150 Gly Pro Ala Arg Ala Pro Pro Pro Pro Ala Gly Ser Gly Gly Ala Gly
151          100          105          110
154 Arg Thr Pro Thr Thr Ala Pro Arg Ala Pro Arg Thr Gln Arg Val Ala
155          115          120          125
158 Thr Lys Ala Pro Ala Ala Pro Ala Ala Glu Thr Thr Arg Gly Arg Lys
159          130          135          140
162 Ser Ala Gln Pro Glu Ser Ala Ala Leu Pro Asp Ala Pro Ala Ser Thr
163 145          150          155          160
166 Ala Pro Thr Arg Ser Lys Thr Pro Ala Gln Gly Leu Ala Arg Lys Leu
167          165          170          175
170 His Phe Ser Thr Ala Pro Pro Asn Pro Asp Ala Pro Trp Thr Pro Arg
171          180          185          190
174 Val Ala Gly Phe Asn Lys Arg Val Phe Cys Ala Ala Val Gly Arg Leu
175          195          200          205
178 Ala Ala Met His Ala Arg Met Ala Ala Val Gln Leu Trp Asp Met Ser
179          210          215          220
182 Arg Pro Arg Thr Asp Glu Asp Leu Asn Glu Leu Leu Gly Ile Thr Thr
183 225          230          235          240
186 Ile Arg Val Thr Val Cys Glu Gly Lys Asn Leu Leu Gln Arg Ala Asn
187          245          250          255
190 Glu Leu Val Asn Pro Asp Val Val Gln Asp Val Asp Ala Ala Thr Ala
191          260          265          270
194 Thr Arg Gly Arg Ser Ala Ala Ser Arg Pro Thr Glu Arg Pro Arg Ala
195          275          280          285
198 Pro Ala Arg Ser Ala Ser Arg Pro Arg Arg Pro Val Glu
199          290          295          300

```

COPY

VERIFICATION SUMMARY

PATENT APPLICATION: US/09/522,278A

DATE: 04/15/2002

TIME: 09:51:06

Input Set : A:\Sequence Listing.txt

Output Set: N:\CRF3\04152002\I522278A.raw

L:10 M:271 C: Current Filing Date differs, Replaced Current Filing Date

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: O'Hare et al.

Art Unit: 1635

Application No. 09/522,278

CERTIFICATE OF MAILING

Filed: March 9, 2000

For: DELIVERY OF SUBSTANCES TO CELLS

Examiner: Jane Zara

Date: June 18, 2002

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service on June 18, 2002 as First Class Mail in an envelope addressed to: U.S. PATENT AND TRADEMARK OFFICE, BOX SEQUENCE, P.O. BOX 2327, ARLINGTON, VA 22202.


Susan Alpert Siegel, Ph.D.
Agent for Applicants

STATEMENT IN COMPLIANCE WITH 37 C.F.R. § 1.821(f)

U.S. PATENT AND TRADEMARK OFFICE
BOX SEQUENCE, P.O. BOX 2327
ARLINGTON, VA 22202

Sir:

In compliance with 37 C.F.R. § 1.821(f), the undersigned declares that the nucleotide and/or amino acid sequences presented in the paper copy of the "Sequence Listing" submitted herewith are the same as the sequences contained in the computer-readable form of said "Sequence Listing." No new matter has been added.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By


Susan Alpert Siegel, Ph.D.
Registration No. 43,121

One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204
Telephone: (503) 226-7391
Facsimile: (503) 228-9446